

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

CESAR SANTACRUZ, al.,

Plaintiff,

v.

FRENCH CONNECTION BAKERY,
INC., et al.,

Defendants.

Case No.: C 07-1118 PVT

**ORDER DISSOLVING ORDER TO
SHOW CAUSE WHY CASE SHOULD
NOT BE DISMISSED FOR FAILURE
TO PROSECUTE**

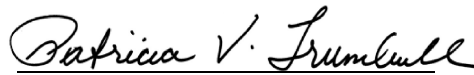
On May 28, 2008, this court issued an order to Plaintiff to show cause why this case should not be dismissed for failure to prosecute.¹ Plaintiff timely responded to the OSC. Based on Plaintiff's response and the file herein,

IT IS HEREBY ORDERED that the order to show cause is DISSOLVED. It appears the court's current standing order is ambiguous as to the deadline for filing proposed findings of fact and conclusions of law. And, while the better practice is to seek relief of court if a party finds it needs more time to prepare pretrial submissions, the court is persuaded that dismissal is too harsh a sanction at this time. However, counsel is cautioned that failure to comply with this court's orders in

¹ The holding of this court is limited to the facts and the particular circumstances underlying the present motion.

1 the future may result in dismissal or other preclusive sanctions.

2 Dated: *June 5, 2008*

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4 PATRICIA V. TRUMBULL
United States Magistrate Judge